

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TORI EDWARD, et al.,

Plaintiffs,

-v-

BRIAN FISCHER et al.,,

Defendants.

USDS SDNY
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No. 09 Civ. 6922 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

By Order dated November 30, 2009, the Court stayed this action pending the Second Circuit's decision in several cases currently pending before presenting legal issues identical to those that would be before this Court if Defendants moved to dismiss the Complaint on grounds of qualified immunity. The Court further ordered the parties to submit a status letter not later than February 1, 2010.

On February 16, 2010, the Court belatedly received a letter from Plaintiff's counsel indicating that the cases before the Second Circuit had not yet been decided. The letter further indicated that it was sent solely on behalf of Plaintiff, as Plaintiff's counsel was unable to contact anyone from the New York Attorney General's Office responsible for this matter.

IT IS HEREBY ORDERED that the parties shall submit a *joint* status letter not later than April 1, 2010, or within ten days of the Second Circuit's decision, whichever occurs first. Plaintiff is ORDERED to serve a copy of this Order on Defendants, and to file a certificate of service on ECF indicating that such service was effectuated. Defendants are ORDERED to file a

notice of appearance on ECF forthwith. Any party refusing to participate in the production of the joint status letter may be subject to sanctions.

SO ORDERED.

Dated: February 17, 2010
New York, New York

A handwritten signature in black ink, appearing to read "Richard J. Sullivan", written in a cursive style.

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE